

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY PARIS

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E.O.11652: N/A

TAGS:PARM, PFOR, ICRC, VN, VS

SUBJECT: ICRC CONFERENCE ON WEAPONS

PARIS POUCH TO NICE FOR ACTION

FOLLOWING IS RELEVANT PORTION OF STATE'S 112467 REPEATED
FOR YOUR ACTION:

TEXT OF USC NOTE TO ICRC (DELIVERED JUNE 4):

QTE THE UNITED STATES MISSION REFERS TO THE ICRC NOTE OF
MAY 17, 1974, INVITING THE UNITED STATES TO SEND EXPERTS
TO A CONFERENCE TO BE HELD IN LUCERNE FROM SEPTEMBER 24
TO OCTOBER 18, 1974, TO STUDY IN DEPTH THE QUESTION OF
PROHIBITION OR RESTRICTION OF THE USE OF CONVENTIONAL
WEAPONS WHICH MAY CAUSE UNNECESSARY SUFFERING OR HAVE
INDISCRIMINATE EFFECTS.

QTE THE GOVERNMENT OF THE UNITED STATES WELCOMES THE
COMMENCEMENT OF AN IN DEPTH TECHNICAL STUDY OF THESE
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ISSUES AND IS PLEASED TO INFORM THE ICRC THAT IT INTENDS

TO ATTEND THIS CONFERENCE. THE NAMES OF THE UNITED STATES EXPERTS WILL BE NOTIFIED TO THE ICRC AS SOON AS POSSIBLE.

QTE WITH REGARD TO THE RULES OF PROCEDURE OF THE CON-

ERENCE, THE UNITED STATES GOVERNMENT WILL SUBMIT ANY COMMENTS IT MAY HAVE TO THE ICRC AFTER THE UNITED STATES GOVERNMENT HAS HAD AN OPPORTUNITY TO STUDY THOSE RULES. WE INTEND TO BE IN A POSITION TO SUBMIT ANY SUCH COMMENTS PRIOR TO JULY 31, 1974.

QTE WITH REGARD TO THE QUESTION OF PARTICIPATION IN THE CONFERENCE, THE UNITED STATES GOVERNMENT CANNOT EMPHASIZE TOO STRONGLY ITS CONVICTION THAT ONLY EXPERTS NOMINATED BY GOVERNMENTS OR OTHER BODIES REPRESENTED AT THE RECENT DIPLOMATIC CONFERENCE ON INTERNATIONAL HUMANITARIAN LAW SHOULD BE INVITED TO PARTICIPATE. IT IS INCOMPREHENSIBLE THAT THE ISSUE OF PARTICIPATION, WHICH WAS SETTLED BY THE DIPLOMATIC CONFERENCE, SHOULD BE REOPENED BY ICRC.

QTE THE SAME CONCERNS AS EXPRESSED BY THE ICRC FOR THE WIDEST POSSIBLE APPLICATION OF INTERNATIONAL HUMANITARIAN LAW WERE RAISED AT THE DIPLOMATIC CONFERENCE. A HIGHLY POLITICAL DISCUSSION ENSUED, AND THE DIPLOMATIC CONFERENCE DECIDED THE ISSUES OF PARTICIPATION. AS THE ICRC RECOGNIZES IN ITS NOTE, THE CONFERENCE OF EXPERTS ON WEAPONS IS LINKED TO THE DIPLOMATIC CONFERENCE. THE UNITED STATES GOVERNMENT BELIEVES IT WOULD BE MOST INAPPROPRIATE AND UNWISE TO REOPEN THESE ISSUES AND TO EXTEND ANY INVITATIONS TO ANY EXPERTS REPRESENTING ANY BODY OR GROUP NOT REPRESENTED AT THE DIPLOMATIC CONFERENCE.

QTE WITH RESPECT TO THE QUESTION OF PARTICIPATION BY THE SO-CALLED PROVISIONAL REVOLUTIONARY GOVERNMENT OF SOUTH VIETNAM, THE UNITED STATES GOVERNMENT STRONGLY OPPOSES PARTICIPATION BY THIS GROUP. THE PRG IS NOT A GOVERNMENT. IT HAS NO GOVERNMENTAL INSTITUTIONS, APART FROM UNCLASSIFIED

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SOME VISIBLE UNITS OF AUTHORITY ESTABLISHED FOR ADVANCEMENT OF ITS INTERNATIONAL ASPIRATIONS. IT HAS NO CAPITAL-IT HAS NO BODY OF LAWS OR JURISPRUDENCE. IT HAS NEITHER THE PERSONALITIES NOR DOMESTIC PROGRAMS WITH WHICH THOSE IT CLAIMS TO GOVERN COULD FREELY ASSOCIATE. MOST FUNDAMENTALLY, IT IS NOT INDEPENDENT, BUT RATHER IS A FACADE DESIGNED TO CONCEAL ITS CHARACTER AS A TOOL OF THE DEMOCRATIC REPUBLIC OF VIETNAM. MOREOVER, THE PRG NEITHER

CLAIMS TO BE A LIBERATION MOVEMENT NOR SEEKS REPRESENTATION IN THAT CAPACITY. FOR ALL THESE REASONS, NO INVITATION SHOULD BE ISSUED TO THE PRG.

QTE IN ACCEPTING THIS INVITATION TO ATTEND A MEETING OF GOVERNMENT EXPERTS ON CONVENTIONAL WEAPONS, THE UNITED STATES GOVERNMENT HAS ASSUMED THAT ATTENDANCE WILL BE

LIMITED TO THOSE ALREADY INVITED BY THE ICRC. IF THE PRG IS INVITED TO SEND EXPERTS, THE UNITED STATES GOVERNMENT RELUCTANTLY WILL HAVE TO RECONSIDER ITS DECISION TO PARTICIPATE. IT WOULD BE UNFORTUNATE IF THIS POLITICAL ISSUE IS PERMITTED TO INTERFERE WITH A DISPASSIONATE CONSIDERATION OF THE MERITS OF THE IMPORTANT QUESTIONS BEFORE THE CONFERENCE. UNQTE. (END TEXT) KISSINGER

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